

<b>DOCKETED</b>	
<b>Docket Number:</b>	21-AFC-02
<b>Project Title:</b>	Willow Rock Energy Storage Center
<b>TN #:</b>	254787
<b>Document Title:</b>	SRESC Application for Confidential Designation for Supplemental AFC Appendices 1B and 1D
<b>Description:</b>	N/A
<b>Filer:</b>	Eric Janssen
<b>Organization:</b>	Ellison Schneider Harris & Donlan LLP
<b>Submitter Role:</b>	Applicant Representative
<b>Submission Date:</b>	3/1/2024 5:17:39 PM
<b>Docketed Date:</b>	3/4/2024



March 1, 2024

Drew Bohan  
Executive Director  
California Energy Commission  
715 P Street  
Sacramento, CA 95814

**RE: Willow Rock Energy Storage Center (21-AFC-02): Application for Confidential Designation for Supplemental AFC Appendices 1B and 1D, Property Owners List and list of Site-Related Property Owners and Relationship to Project Owner**

Dear Mr. Bohan:

Pursuant to Sections 2505 et seq., of Title 20 of the California Code of Regulations, GEM A-CAES LLC (the "Applicant") hereby submits this *Application for Confidential Designation* for Appendix 1B, Property Owners List, and Appendix 1D, Site-Related Property Owners and Relationship to Project Owner, of the Supplemental Application for Certification of the Willow Rock Energy Storage Center (21-AFC-02).

Please contact us at (916) 447-2166 should you have any questions or require additional information. Thank you.

Sincerely,

/s/

\_\_\_\_\_  
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**APPLICATION FOR CONFIDENTIAL DESIGNATION**  
**Willow Rock Energy Storage Center (21-AFC-02)**

1. *Specifically indicate those parts of the record which should be kept confidential.*
  - a. *Title, date, and description (including number of pages) of the information or data for which you request confidential designation.*

GEM A-CAES LLC (“Applicant”) seeks confidential designation for the following information (the “Information”) submitted on behalf of the Willow Rock Energy Storage Center (“WRESC”):

AFC Appendix Number	Title	AFC Subject Area/ Description	# of Confidential Pages
1B	Property Owners List	Section 1.0 – Introduction	All pages
1D	Site-Related Property Owners and Relationship to Project Owner	Section 1.0 – Introduction	All pages

- b. *Parts of the information or data for which you request confidential designation.*

The Information should be kept confidential in its entirety.

2. *State the length of time the record should be kept confidential, and provide justification for the length of time.*

The Information should be kept confidential indefinitely to protect the personal information contained therein.

3. *Cite and discuss:*

- (a) *the provisions of the Public Records Act or other law that allow the Commission to keep the information or data confidential, and explain why the provision applies to the material.*

- (b) *the public interest in nondisclosure of the material submitted for confidential designation. If the material contains trade secrets or its disclosure would otherwise cause loss of a competitive advantage, please state how it would be lost, the value of the information to the applicant and the ease or difficulty with which the information could be legitimately acquired or duplicated by others.*

The Public Records Act (“PRA”) (Govt. Code § 7920.000 et. seq.) provides a specific exclusion from disclosure where “...on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.” (Gov’t Code § 7922.000)

**APPLICATION FOR CONFIDENTIAL DESIGNATION**  
**Willow Rock Energy Storage Center (21-AFC-02)**

The public interest served by not disclosing the Information clearly outweighs the public interest served by disclosure because the Information contains property owner's personal information, including addresses, of the parcels surrounding the WRESC site. The protection of personal information is consistent with several PRA exemptions, such as those exempting from disclosure electronically collected personal information, including home addresses, received by a state agency (Gov't Code § 7927.400); exempting from disclosure the residence or mailing address of any person in any record of the Department of Motor Vehicles (Gov't Code § 7927.405); exempting from disclosure the residence or mailing address of any employee of a public agency (Gov't Code § 7928.300); and directing state agencies not to post the home address or telephone number of any elected or appointed official on the internet without first obtaining written permission from the individual (Gov't Code § 7928.205). These exemptions demonstrate the value our Legislature has placed on protecting the personal identifying information of Californians that could be exposed through administrative processes. Similarly, here, the public interest served by not disclosing the Information clearly outweighs the public interest served by disclosure.

4. *State whether the information may be disclosed if it is aggregated with other information or masked to conceal certain portions, and if so the degree of aggregation or masking required.*

The Applicant considered whether it would be possible to aggregate or mask portions of the Information. It may be possible to redact certain portions, such as the names of individuals.

5. *State whether and how the information is kept confidential by the applicant and whether it has ever been disclosed to a person other than an employee of the applicant, and if so under what circumstances.*

The Applicant is submitting the Information pursuant to an application for confidential designation out of an abundance of caution as it contains property owner information. While property owner information may be publicly available, the Applicant is concerned with the disclosure of such information in a consolidated, easy-to-obtain fashion.

*I certify under penalty of perjury that the information contained in this Application for Confidential Designation is true, correct, and complete to the best of my knowledge and belief. I am authorized to make this Application and Certification on behalf of the Applicant, GEM A-CAES LLC.*

Dated: March 1, 2024

By:

\_\_\_\_\_  
/s/

Samantha G. Neumyer  
Ellison Schneider Harris & Donlan LLP  
*Attorneys for Applicant*